

UNITED STATES DISTRICT COURT

FILED

JAN 4 - 2008

for the

Northern District of California

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

U.S.A. vs. Matthews, Andre

Docket No. CR07-00488 CW

Petition for Arrest Warrant for Defendant Under Pretrial Supervision

Name of Defendant: Matthews, Andre

Name of Judicial Officer: Joseph C. Spero (In the absence of the Honorable Wayne D. Brazil),
U.S. Magistrate Judge

Date of Release: August 14, 2007

Charged Offense: Conspiracy to Unlawfully Transfer or Use a Means of Identification of
Another (Title 18, United States Code, Section 1028(f))

Release Conditions: \$75,000 bond (unsecured)

Special Conditions: 1. Report to Pretrial Services as directed; 2. Travel is restricted to the Northern District of California; 3. Surrender any passports in his possession as soon as possible and shall not apply for any new passports or other travel documents; 4. Participate in drug/mental health/alcohol counseling, and submit to drug / alcohol testing, as directed by Pretrial Services; 5. Not possess a firearm, destructive device or any other dangerous weapons; 6. Maintain current employment or if unemployed shall seek and maintain verifiable employment; 7. Submit to a search of his person, place of residence and vehicle at the discretion of Pretrial Services; 8. Not have any contact with any co-defendant out of the presence of defense counsel; and 9. Not change residence without prior approval of Pretrial Services.

Petitioning the Court

For the issuance of a no-bail warrant for the defendant's arrest.

I, Hence Williams III, a U.S. Pretrial Services Officer, employed in the United States District Court for the Northern District of California, solemnly affirm and declare, under penalty of perjury, that to the best of my information and belief, the facts set forth in this affidavit are true and correct. The factual affirmations made below are based on my personal knowledge, on official records or documents generated and maintained by my agency in the course of performing its functions, on official records or documents generated and maintained by other government agents or agencies in the course of performing their functions, or on information provided to me orally or electronically by employees or agents of other public agencies (information developed or acquired in the course

cc: WDB's Staffs Copy to parties via ECF Shenah, Pretrial
2 certified copies to Marshal, Financial

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Petition for Arrest Warrant for Defendant Under Pretrial Supervision

Defendant Name: Matthews, Andre

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of performing official agency functions).

1. On December 19, 2007, the defendant contacted this officer and reported that he was being investigated by the East Bay Regional Parks Police Department in connection with a fraud case. At this time, the defendant denied knowledge of any details regarding this case.

2. On December 19, 2007, Pretrial Services contacted Detective Davis of the East Bay Regional Parks Police Department. According to Detective Davis, the defendant was being investigated for approximately \$17,000 in fraudulent purchases, however, at that time, no formal charges had been filed.

3. On January 2, 2008, this officer received a telephone call from Detective Davis. He reported that the defendant had been arrested on that date for the crimes of: 1203.2 PC Probation Violation (1 count), 182 (A) PC Conspiracy (1 count), and 459-460 (B) PC Burglary(11 counts), 470(B) PC Forge/ECT/Handwrite/ETC (15 counts), and 484G PC Theft Use Access Card Data (23 counts). According to the Probable Cause Deceleration Information filed in Contra Costa County, Mr. Matthews is seen on both store and ATM surveillance cameras using the alleged victim's stolen credit card on several occasions. The defendant was positively identified by a store manager as presenting the victim's stolen credit card for payment and was seen signing the victim's name.

4. On January 2, 2008, a search warrant was served by Contra Costa County at the defendant's residence and items fraudulently purchased, as well as billing statement in the victim's name, were seized. Mr. Matthews was subsequently arrested and is currently being detained by Contra Costa County authorities without bond. It is noted that the defendant is currently under Contra Costa County Probation for Possession of a Controlled Substance (preceding pretrial release). According to Detective Davis, a Violation of Probation detainer has also been lodged against the defendant. Pretrial Services has requested a copy of the charging document, however, at the time of this writing the information had not be received.

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Defendant Name: Matthews, Andre

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Based on the foregoing, there is probable cause to believe that Andre Matthews violated the conditions of his pretrial release. Therefore, I ask the Court to issue a no-bail warrant for the defendant's arrest.

Respectfully submitted,



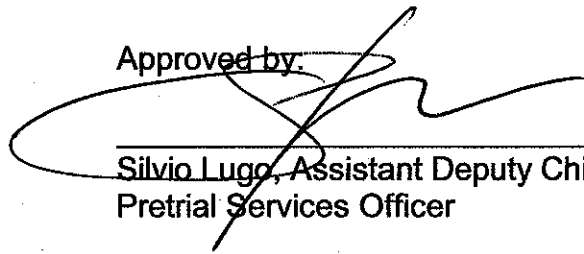
Hence Williams III

U.S. Pretrial Services Officer

Place **Oakland, California**

Date Signed: _____

Approved by:



Silvio Lugo, Assistant Deputy Chief U.S.
Pretrial Services Officer

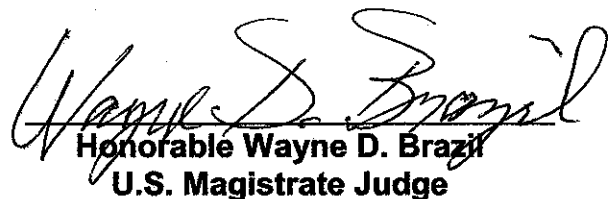
Having considered the information set forth above, the Court finds there is probable cause to believe the defendant violated the terms and conditions of his pretrial release.

THE COURT ORDERS:

☒ The issuance of a no-bail warrant for the defendant's arrest so that he may be brought before the Court to show cause why bail should not be revoked.

☐ Other: _____

1/4/08
Date



Honorable Wayne D. Brazil
U.S. Magistrate Judge